

August 7, 2009August 7, 2009



U.S. Department
of Transportation

**Pipeline and Hazardous
Materials Safety Administration**

East Building, PHH – 30
1200 New Jersey Avenue, Southeast
Washington, D.C. 20590

DOT-SP 6610
(NINETEENTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of tertiary butyl hydroperoxide in DOT Specification MC 312 or DOT 412 cargo tank motor vehicles and DOT Specification IM 101 portable tanks with polyethylene saddles which are inspected at a frequency other than as specified in the Hazardous Materials Regulations (HMR). This special permit provides no relief from the HMR other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.225(h)(4) in that the low density polyethylene saddles are inspected once every 12 months, except as specified herein.
5. BASIS: This special permit is based on the Pipeline and Hazardous Materials Safety Administration's (PHMSA) editorial review under § 107.121 initiated on December 4, 2008.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Organic peroxide Type F, liquid (Tertiary butyl hydroperoxide, 70% or less in water)	5.2	UN3109	II
Organic peroxide Type F, liquid (Tertiary butyl hydroperoxide, 56% or less in 10:1 tertiary butyl alcohol/water mixtures)	5.2	UN3109	II

7. SAFETY CONTROL MEASURES:a. PACKAGING -

(1) Prescribed packagings are:

(i) DOT Specification MC 312 or DOT Specification 412 cargo tank motor vehicles meeting the requirements of § 173.225(e)(2).

(ii) DOT Specification IM 101 portable tanks meeting the requirements of § 173.225(e)(3) fitted with four (4) 2.5 inch diameter self-closing pressure relief devices.

(2) Each cargo tank motor vehicle and portable tank must include as part of the lading, low density polyethylene saddles meeting the following requirements:

(i) Specific gravity as measured by ASTM D-1248 is 0.910 to 0.925.

(ii) The weight ratio of polyethylene to peroxide solution must be at least 0.0123 by mass.

b. TESTING AND INSPECTION -

(1) Each cargo tank motor vehicle must be retested and reinspected as specified in § 180.407(c) for MC 312 or DOT 412 cargo tank motor vehicles. Each IM 101 portable tank must be retested and reinspected as specified in § 173.32b.

(2) The polyethylene saddles must be visually inspected at 12 month intervals after placement in the cargo tank or portable tank, and must be replaced when discoloration, fracture, severe deformation or other indication of unanticipated visual change is noted. All polyethylene saddles must be replaced every four (4) years.

(3) Once every three years, the melt index of a random sample of the polyethylene saddles passing visual inspection must be determined by ASTM D-1238, condition E. If the melt index is less than 0.3 (grams per 10 minutes), all saddles must be replaced. If the melt index is at least 0.3 (grams per 10 minutes), the sample saddles must be replaced with new saddles.

c. OPERATIONAL CONTROLS - Cargo tank motor vehicles and portable tanks operating under this special permit must be in dedicated service, and a nitrogen pad must be provided above the liquid.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each cargo tank motor vehicle must be plainly marked on the right side near the front, in letters at least 2-inches high on a contrasting background, "DOT-SP 6610". Each portable tank must be marked on both sides near the middle, in letters at least 2-inches high on a contrasting background, "DOT-SP 6610".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight and cargo vessel.
10. MODAL REQUIREMENTS:
- a. A current copy of this special permit must be carried aboard each cargo vessel or motor vehicle used to transport packages covered by this special permit.
 - b. Cargo tank motor vehicles may not be transported in container-on-flatcar service unless approved by the Associate Administrator for Safety, FRA.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when the special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) - 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special

permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Theodore L. Willke
Associate Administrator for Hazardous Materials Safety
Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: scw/sln